

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Marlon Jermaine Monk

Docket No. 5:12-CR-200-1BR

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Marlon Jermaine Monk, who, upon an earlier plea of guilty to Distribution of Twenty-eight (28) Grams or More of Cocaine Base (Crack), 21 U.S.C. § 841(a)(1), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 13, 2013, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Marlon Jermaine Monk was released from custody on September 9, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On February 8, 2017, a DROPS Sanction Report To The Court was submitted in response to the defendant testing positive for marijuana, and he was ordered to complete 5 days of confinement as arranged by the probation officer. On February 28, 2017, a schedule was provided by the Bureau of Prisons to have Monk serve 5 days at the Cumberland County Jail in Fayetteville, North Carolina. This schedule included 2 consecutive weekends to begin March 10, 2017, and conclude March 19, 2017. Due to transportation difficulties the defendant did not report for his scheduled weekend on March 18, 2017. As such, the probation office made a request to the Bureau of Prisons to reschedule the final 2 jail days, and on June 5, 2017, a schedule was provided by the Bureau of Prisons to have Monk serve 2 days at the Cumberland County Jail on July 8, 2017, through July 9, 2017. Unfortunately, as the result of an automobile accident, the defendant failed to report to complete his DROPS sanction.

The defendant has since obtained full-time employment and works six days per week. Monk has only completed 3 of the required 5 days in custody; however, we are recommending the defendant adhere to a curfew for 30 days in lieu of the remaining 2 jail days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: August 21, 2017

ORDER OF THE COURT

Considered and ordered this 21 day of August, 2017, and ordered filed and
made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

